

Exhibit in Support of Form 303-S
Annual Employment Report of Broadcast Station

This exhibit further explains answer to Form 303-S, question number 4 (a).

The 1990 Ownership Report (Form 323) for radio station KZZK AM, Tremonton, Utah is being filed simultaneously with this application for License Renewal (Form 303-S). The attached 323 will update the 1989 ownership report. All information should be the same with the exception of a call sign change on the station.

Exhibit in Support of Form 303-S
Radiation/Environmental Statement

This exhibit further explains answer to form 303-S, Question number 7 regarding radiation/environmental impact statement.

The existing tower and antenna by the applicant herein has been reviewed for compliance with Section 1.1311 of the rules and in that connection, the following facts are submitted in this application.

1. The facility is not located in an environmental sensitive area, officially designated wilderness preserve or wildlife preserve.
2. It is an existing 150 ft. tower and thus no significant changes will be made in the surface features.
3. The tower is not located in a residential area and is lighted according to FAA standards. There are no high intensity white lights on the tower.
4. The tower does not affect districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology or culture, that are listed in the National Register of Historic Places or any that are eligible for listing.
5. The facility is not located in a floodplain.
6. The tower itself is used as the AM and there are 3 bays FM radiating 3,000 watts of power. The radiation meets the ANSI standards as published. The antenna is side mounted on the AM tower and the center of radiation is sufficient to meet and comply with the radiation standards and limits the radiation to which persons would be exposed in the area immediately around the tower base. The base of the tower is enclosed by a fence, locked and warning signs are posted. The general area surrounding the fence at the base of the tower is also enclosed by another fence to deter accessibility to the area.

In view of the foregoing, it is concluded that the facility would not be a major environmental action as defined by the rules, and, therefore, an environmental impact statement is not required.

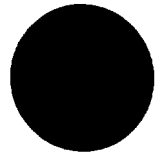
EXHIBIT IN SUPPORT OF FORM 303-S
DOCUMENTATION OF FILING ANNOUNCEMENTS

This exhibit further explains answer to form 303-S, Question number 8 regarding documentation.

KZZK-AM is current under authorization to remain silent by authority of the FCC. Thus the required pre-filing and post filing public notices are being made in the Tremonton Leader, the local newspaper. Verification of said publications will be placed in the public files of the radio station upon completion.

The broadcast assets and real property of said station was repossessed by Northern Utah Broadcasting Company, Inc., in 1989 after the previous owner defaulted on secured loans and abandoned the station. Northern Utah Broadcasting Company, Inc., has brought the station back to technical standards of the FCC and said stations are operating under FCC authority to remain silent. It is the intent of Northern Utah Broadcasting to bring the station back on the air as soon as feasible. All documentations regarding this is on file with the FCC.

NORTHERN UTAH BROADCASTING CO., INC.
c/o 605 West Haven Drive
Logan, Utah 84321
801-752-0908



4

May 11, 1990

Federal Communications Commission
1919 M Street, N.W., Room L-18
Washington, D.C. 20554-1800

RE: License renewal for KZZK Radio
in Tremonton, Utah

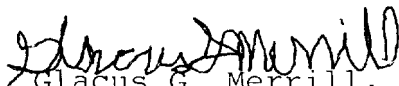
Dear Commission:

Please find enclosed application form 303-S, the Broadcasting Employment Opportunity Program Report (form 396), ownership report (form 323), Broadcast Station Annual Employment Report (form 395-B) along with various exhibits to support the above mentioned documents.

These forms and exhibits are being filed on behalf of Northern Utah Broadcasting Company, Inc., licensee and application for license renewal of KZZK-AM in Tremonton, Utah.

If there are any questions or additional information is required feel free to write or call Northern Utah Broadcasting as the above address or phone number.

Cordially,


Glaucus G. Merrill,
President

Federal Communications Commission
Washington, D.C. 20554

APPLICATION FOR RENEWAL OF LICENSE FOR
COMMERCIAL AND NONCOMMERCIAL AM, FM OR TV BROADCAST STATION

Approved by OMB
3060-0110
Expires 5/31/91

For <u>Commission</u> Fee Use Only	FEE NO: 02021807	For <u>Applicant</u> Fee Use Only	
	FEE TYPE: MRY		Is a fee submitted with this application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	FEE AMT: 30.00		If No, indicate reason therefor (check one box): <input type="checkbox"/> Nonfeeable application
	ID SEQ: B		Fee Exempt (See 47 C.F.R. Section 1.1112) <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Governmental entity
For <u>Commission</u> Use Only: File No.			

1. Name of Applicant
Northern Utah Broadcasting Company, Inc.

Mailing Address
c/o 605 West Haven Drive

City Logan	State Utah	ZIP Code 84321
---------------	---------------	-------------------

2. This application is for: ☒ AM ☐ FM ☐ TV

(a) Call Letters: KZZK	(b) Principal Community: City Tremonton State Utah
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3. Attach as Exhibit No. na an identification of any FM booster or TV booster station for which renewal of license is also requested.

4. Have the following reports been filed with the Commission:

(a) The Broadcast Station Annual Employment Reports (FCC Form 395-B) as required by 47 C.F.R. Section 73.3612? ☒ Yes ☐ No
1990 Report being filed with this application. If No, attach as Exhibit No. na an explanation.

(b) The applicant's Ownership Report (FCC Form 323 or 323-E) as required by 47 C.F.R. Section 73.3615? ☒ Yes ☐ No

If No, give the following information:

Date last ownership report was filed _____
Call letters of station for which it was filed _____

5. Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? ☒ Yes ☐ No

If No, attach as Exhibit No. NA an explanation.

6. Since the filing of the applicant's last renewal application for this station or other major application, has an adverse finding been made or final action been taken by any court or administrative body with respect to the applicant or parties to the application in a civil or criminal proceeding, brought under the provisions of any law relating to the following: any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination? ☐ Yes ☒ No

If Yes, attach as Exhibit No. NA a full description of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers) and the disposition of the litigation.

7. Would a Commission grant of this application come within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact? ☐ Yes ☒ No

If Yes, attach as Exhibit No. NA an Environmental Assessment required by 47 C.F.R. Section 1.1311.

If No, explain briefly why not.


8. Has the applicant placed in its station's public inspection file at the appropriate times the documentation required by 47 C.F.R. Sections 73.3526 or 73.3527? ☒ Yes ☐ No

If No, attach as Exhibit No. NA a complete statement of explanation.

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION: I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name Glacus G. Merrill	Signature 
Title President	Date May 10, 1990

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

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BROADCAST EQUAL EMPLOYMENT OPPORTUNITY PROGRAM REPORT

(To be filed with broadcast license renewal application)

(For FCC Use Only)

Code No.

Call Letters KZZK

Name of Licensee Northern Utah Broadcasting Company, Inc.

City and State which station
is licensed to serve Tremonton, Utah

TYPE OF BROADCAST STATION (Check one)

Commercial Broadcast Station

Noncommercial Broadcast Station

☐ AM

☐ TV

☐ Educational Radio

☐ FM

☐ Low Power TV

☐ Educational TV

☒ Combined AM & FM
in same area **KBXQ-FM**

☐ International

SEND NOTICES AND COMMUNICATIONS TO THE FOLLOWING NAMED PERSON AT THE ADDRESS INDICATED BELOW:

Name Glacus G. Merrill		Street Address c/o 605 West Haven Drive	
City Logan	State Utah	ZIP Code 84321	Telephone No. (801) 753-8090

FILING INSTRUCTIONS

Broadcast station licensees are required to afford equal opportunity to all qualified persons and to refrain from discriminating employment and related benefits on the basis of race, color, national origin, and sex. See Section 73.2080 of the Commission's Rules. Pursuant to these requirements, a license renewal applicant who employs five or more full-time station employees must file a report of its activities to ensure equal employment opportunity for women and minority groups (that is, Blacks not of Hispanic origin, Asians or Pacific Islanders, American Indians or Alaskan Natives, and Hispanics). If minority group representation in the available labor force is less than five percent (in the aggregate), equal employment opportunity (EEO) program information for minority group members need not be filed. However, EEO program information must be filed for women since they comprise a significant percentage of virtually all area labor forces. If an applicant employs fewer than five full-time employees, no equal employment opportunity activity information need be filed.

A copy of this report must be kept in the station's public file. These actions are required to obtain license renewal. Failure to meet these requirements may result in license renewal being delayed or denied. These requirements are contained in Section 73.2080 of the FCC Rules (47 CFR 73.2080), and are authorized by the Communications Act of 1934, as amended.

☒ If your station employs fewer than five full-time employees, check the box at left, complete the certification below, return the form to the FCC, and place a copy in your station's public file. You do not have to complete the rest of the form.

If your station employs five or more full-time employees, you must complete all of this form and follow all instructions.

☐ If minority group representation in the available labor force is less than 5 percent (in the aggregate) and you choose not to file EEO program information for minority groups, check the box at left and complete the rest of this form with only the information for your program directed towards women.


CERTIFICATION

This report must be certified, as follows:

- A. By licensee, if an individual;
- B. By a partner, if a partnership (general partner, if a limited partnership);
- C. By an officer, if a corporation or an association; or
- D. By an attorney of the licensee, in case of physical disability or absence from the United States of the licensee.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, SECTION 1001.**

I certify to the best of my knowledge, information and belief, all statements contained in this report are true and correct.

Signed

Title President
Date May 10, 1990
Name of Respondent Glacus G. Merrill
Telephone No. (include area code) 801-753-8090

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the license renewal requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and applications examiners, will use the information to determine whether the license renewal application should be granted, denied, dismissed or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

- ☐ Recruit prospective employees from educational institutions, including area schools and colleges with minority and women enrollments. Educational institutions contacted for recruitment purposes during the past 12 months and the number of minority and/or women referrals are:

Educational Institution	Number of Referrals	
	Minority	Women
_____	_____	_____
_____	_____	_____

- ☐ Contact a variety of minority and women's organizations to encourage the referral of qualified minority and women applicants whenever job vacancies occur. Examples of such organizations contacted during the past 12 months are:

Organization	Number of Referrals	
	Minority	Women
_____	_____	_____
_____	_____	_____
_____	_____	_____

- ☐ We encourage present employees to refer qualified minority and women candidates for job openings. The number of minority and/or women referrals are:

Minority	Women
_____	_____

- ☐ Other (specify) _____ and the number of minority and/or women referrals are:

Minority	Women
_____	_____

IV. JOB HIRES

A broadcast station must consider applicants for job openings on a nondiscriminatory basis. Further, to assure that qualified minorities and women are given due consideration for available positions, it must make efforts to encourage them to apply for job openings.

During the twelve-month period prior to filing this application beginning (Month-Day-Year) _____ and ending (Month-Day-Year), _____ we hired:

Total hires _____ Minorities _____ Women _____

During this period, for positions in the upper four job categories, we hired:

Total hires, upper _____ Minorities _____ Women _____
four categories

V. PROMOTIONS

A broadcast station must promote individuals on a nondiscriminatory basis. Further, to assure that qualified minorities and women are given due consideration for promotional opportunities, it must make efforts to encourage them to qualify and apply for advancement.

During the twelve-month period prior to filing this application beginning (Month-Day-Year) _____ and ending (Month-Day-Year) _____, we promoted:

Total promotions _____ Minorities _____ Women _____

During this period, in the upper four job categories, we promoted:

Total promotions, upper _____ Minorities _____ Women _____
four categories

VI. AVAILABLE LABOR FORCE

A broadcast station must evaluate its employment profile and job turnover against the availability of minorities and women in the relevant labor market. The FCC will use labor force data for the MSA in which your station is located, or county data if the station is not located in an MSA, to evaluate your station's equal employment efforts. If you use these data in your evaluation, you need not submit them to the FCC.

The purpose of this document is to remind broadcast station licensees of their equal employment opportunity responsibilities and to provide the licensee, the FCC and the public with information about whether the station is meeting these requirements.

GENERAL POLICY

A broadcast station must provide equal employment opportunity to all qualified individuals without regard to their race, color, religion, national origin or sex in all personnel actions including recruitment, evaluation, selection, promotion, compensation, training and termination.

A broadcast station must also encourage applications from qualified minorities and women for hiring and promotion to all types of jobs at the station.

I. RESPONSIBILITY FOR IMPLEMENTATION

A broadcast station must assign a particular official overall responsibility for equal employment opportunity at the station. That official's name and title are:

NAME _____ TITLE _____

It is also the responsibility of all persons at a broadcast station making employment decisions with respect to recruitment, evaluation, selection, promotion, compensation, training and termination of employees to ensure that no person is discriminated against in employment because of race, color, religion, national origin or sex.

II. POLICY DISSEMINATION

A broadcast station must make effective efforts to make management, staff, and prospective employees aware that it offers equal employment opportunity. The Commission considers the efforts listed below to be generally effective. Indicate each practice that your station follows. You also may list any other efforts that you have undertaken.

- ☐ Notices are posted informing applicants and employees that the station is an Equal Opportunity Employer and that they have the right to notify an appropriate local, State, or Federal agency if they believe they have been the victims of discrimination.
- ☐ Our station's employment application form contains a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify the appropriate local, State, or Federal agency if they believe they have been the victims of discrimination.
- ☐ We seek the cooperation of the unions represented at the station to help implement our EEO program and all union contracts contain a nondiscrimination clause.
- ☐ Other (specify)

III. RECRUITMENT

A broadcast station must make efforts to attract qualified minority and women applicants for all types of jobs at the station whenever vacancies occur.

Indicate each practice that your station follows and, where appropriate, list sources and numbers of referrals.

- ☐ When we place employment advertisements with media some of such advertisements are placed with media which have significant circulation or viewership, or are of particular interest to minorities and women in the recruitment area. Examples of media utilized during the past 12 months and the number of minority and/or women referrals are:

	Number of Referrals	
	Minority	Women
_____	_____	_____
_____	_____	_____

This section is optional:

As an alternative to MSA or county labor force data, you may use other data that more accurately reflect the percentages of women and minorities in the labor force available to your station. If such alternative data are used, that data must be submitted on the table below and an explanation attached as to why they are more appropriate.

Percentage in the Labor Force	Women	Blacks not of Hispanic Origin	Asian or Pacific Islanders	American Indians or Alaskan Natives	Hispanics

The above information is for:

☐

M.S.A.

☐

City

☐

County

☐

Other (specify)

VII. COMPLAINTS

You must provide here a brief description of any complaint which has been filed before any body having competent jurisdiction under Federal, State, territorial or local law, alleging unlawful discrimination in the employment practices of the station including the persons involved, the date of filing, the court or agency, the file number (if any), and the disposition or current status of the matter. Examples of such jurisdiction may include the Equal Employment Opportunity Commission, state and local equal opportunity commissions, or other appropriate agencies.

VIII. OTHER INFORMATION

You may also describe other information that you believe would allow the FCC to evaluate more completely your efforts in providing equal opportunity in employment at your station. Submission of such information is optional. Among the additional information you may choose to provide are:

Any training programs the station has undertaken that are designed to enable minorities and women to compete in the broadcast employment market including, but not necessarily limited to, on-the-job training and assistance to students, schools or colleges.

Any problems the station has experienced in assuring equal employment opportunity, or attracting qualified minority and women candidates for employment or promotion.

Any efforts the station has undertaken or will undertake to promote equal opportunity in its employment and to encourage applications from minorities and women.

BROADCAST STATION
ANNUAL EMPLOYMENT REPORT 1990

Approved by OMB
3080-0340
Expires 9/30/90

(For FCC Use Only)

Code No.

SECTION I

A. Name of Licensee or Permittee Northern Utah Broadcasting Company, Inc.	B. Address c/o 605 West Haven Drive Logan, Utah 84321
---	---

SECTION II

A. TYPE OF RESPONDENT (check one)

COMMERCIAL BROADCAST STATION

NONCOMMERCIAL BROADCAST STATION

AM ☐ AM

TV ☐ TV

ER ☐ Educational AM or FM Radio

FM ☐ FM

LP ☐ Low Power TV

ET ☐ Educational TV

AF ☒ Combined AM & FM
in same area

IN ☐ International

HQ ☐ Headquarters (Name and Location) same as above

Z.P. Code

B. LIST CALL LETTERS AND LOCATION(S) OF INCLUDED STATIONS

CALL LETTERS	LOCATION(S)
KBXQ-FM	Tremonton, Utah

CALL LETTERS	LOCATION(S)
KZZK	Tremonton, Utah

SECTION III

A. PAY PERIOD COVERED BY THIS REPORT (DATE)

see attached exhibit

B. CHECK APPLICABLE BOX

☒ Fewer than five full-time employees during the selected payroll period (Complete page one only and certification statement and return to FCC)

☐ Five or more full-time employees during selected payroll period (Complete all sections of form and certification statement and return to FCC)

SECTION IV CERTIFICATION

This report must be certified, as follows: (a) By licensee, if an individual; (b) By a partner, if a partnership (general partner, if a limited partnership); (c) By an officer, if a corporation or an association; or (d) By an attorney of the licensee, in case of physical disability or absence from the United States of the licensee.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.

U.S. CODE, TITLE 18, SECTION 1001.

I certify to the best of my knowledge, information, and belief, all statements contained in this report are true and correct.

Signed

Glacus G. Merrill

Print Name

Glacus G. Merrill

Title

President

Date

May 9, 1990

Telephone No. **(801) 753-8090**

SECTION V - EMPLOYEE DATA

A. FULL-TIME PAID
EMPLOYEE DATA

[illegible]

3. PART-TIME PAID EMPLOYEE DATA

[illegible]

EXHIBIT IN SUPPORT OF FORM 395-B
BROADCAST ANNUAL EMPLOYMENT REPORT
1990

This exhibit further explains answer to form 395-B, Section III, question number "A".

KBXQ-KZZK radio station licensed to Tremonton, Utah were repossessed by Northern Utah Broadcasting Company in 1989 after the previous owner defaulted on secured loans and abandoned the station. Northern Utah Broadcasting Company, Inc., has brought the station back to technical standards of the FCC and filed for an assignment of license. Consummation of said assignment is pending and said stations are operating under FCC authority to remain silent pending consummation.

Thus there were no employee in 1989 and 1990 to date. Since the stations prior to this time operated with fewer than five full-time employees, both the assignor and assignee certify that KBXQ/KZZK will operate in the foreseeable future with fewer than five full-time employees.

239

FCC MAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

MAY 4 1990

IN REPLY REFER TO:

RECEIVED

April 19, 1990

Mr. Peter N. Pelavin, Esq.
Radio Station KZZK (AM)/KBXQ (FM)
650 California Street
Suite 800
San Francisco, CA 94108

Ref. 8910-MM. Relet Atty. Pelavin 4/3/90. Temporary authority granted KZZK (AM)/KBXQ (FM), Tremonton, Utah, to remain silent thru 7/23/90, to allow time to process pending applications BMPH-891024IJ and BMPH-891113JM, locate qualified buyer, and submit application prior to expiration of this authority. Any further request for extension must be accompanied by a detailed report of specific steps taken to resume operation. It will be necessary to maintain prescribed tower lighting. You will assume responsibility of forwarding this letter to radio station KZZK/KBXQ (FM).

Thomas N. Albers
Chief, AM Branch
Mass Media Bureau, FCC

Mary McDonald
Comms. Industry Tech.

EIC-Seattle

MM:afr/asd/mb/kzzk
(5)

bcc: Glenn Greisman

09 APR 1998
RECEIVED

KECK, MAHIN & CATE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

8300 SEARS TOWER
233 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606-6589
(312) 876-3400

TELECOPIER (312) 876-3582
TELEX 25-3411

650 CALIFORNIA STREET

SUITE 800

SAN FRANCISCO, CALIFORNIA 94108

(415) 392-7077

TELECOPIER (415) 392-3969

WASHINGTON, D.C.

LOS ANGELES, CALIFORNIA

HOUSTON, TEXAS

PEORIA, ILLINOIS

OAKBROOK TERRACE, ILLINOIS

SCHAUMBURG, ILLINOIS

FILE NUMBER

DIRECT DIAL

April 3, 1990

Mr. Larry Eads
Audio Services Division
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Re: Radio Stations KZZK-AM/KBXQ-FM,
Tremonton, Utah;
Formerly KKVU-AM/FM; Ref: 8910-MM

Dear Mr. Eads:

On August 16, 1989, the FCC granted temporary authority to KKVU-AM/FM, Tremonton, Utah (now KZZK-AM/KBXQ-FM) to remain silent through November 18, 1989, pending sale of the radio stations. Subsequently, the licensee requested an extension and, on November 30, 1989, the FCC granted temporary authority for said stations to remain silent through February 22, 1990, to allow time to complete pending sales negotiations.

An assignment application was then filed (BAL-891109EH/BALH-891109EI) and staff consent was given on January 5, 1990. At that time the completion of the sale was expected to occur on or about March 1, 1990. Therefore, a further request for extension of time to remain dark was filed and granted on February 14, 1990, extending such authority through April 9, 1990.

In connection with the transfer of control certain construction permits have been filed with the FCC (BMPH-891024-IJ and BMPH-891113-JM). Despite licensee's best efforts, including requests for expedited process, the construction permits have yet to be granted. In addition, the engineering branch has informed licensee that there are some minor but curable problems with the construction permit applications.

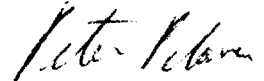
As a consequence of these most recent delays in obtaining permits from the Commission, the proposed purchaser, Kenneth W. Sasso, has withdrawn his offer to purchase the station (see

KECK, MAHIN & CATE

letter from Sasso attached as Exhibit A). Licensee continues to suffer the effects of a stroke and is unable to operate the stations. Licensee will continue to search for a purchaser for the stations and will diligently pursue their transfer to a qualified party and their subsequent return to the air. Therefore, it is respectfully requested that the Commission authorize the stations to remain dark for an additional period of ninety (90) days. This period will allow for obtaining grants for the construction permits and negotiation of a new sale agreement. If there are any questions, please contact the undersigned.

Sincerely,

KECK, MAHIN & CATE

A handwritten signature in dark ink, appearing to read "Peter N. Pelavin". The signature is written in a cursive, flowing style.

Peter N. Pelavin

PNP:hjw

cc: KZZK-AM/KBXQ-FM Public Files

EXHIBIT A

March 24, 1990

Mr. Gregory Merrill
Chapman Associates
P.O. Box 744
Logan, Utah 84321

Dear Greg:

I'm writing to affirm the discussion we had today on the telephone.

Due to the complications involved with the filing for radio stations KKVU AM - FM (KZZK - K3XQ), we are asking to dislodge our agreement pertaining to this purchase.

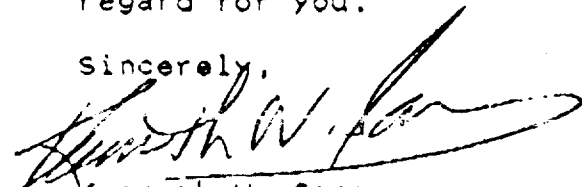
As we see it, it will be impossible to maintain the arrangements with the state of Utah regarding the land agreement and perform an act of sale prior to further requests for time to remain off the air from the Federal Communications Commission.

We have sold our home in Houston and must make an immediate decision regarding our living arrangements. Needless to say, we would not be pressed to move had the time frame of our agreement been more favorable.

We are asking that the \$5000.00 deposit be returned because of the circumstances that have developed regarding the transfer. We are not asking for return of the filing fees or monies for building repair.

You can't know how dissappointed we are! I guess it wasn't meant to be at this time. I do feel that, at least, I made a friend and shared thoughts with a very nice person during the many months of this complexity. I hold the highest regard for you.

Sincerely,



Kenneth W. Sasso

c.c. files

FCC MAIL SECTION

MM 96-182
239

5 9 03 AM '90

KZZK (AM)

DISPATCH

DOCKET FILE COPY ORIGINAL

February 14, 1990

Mr. Peter N. Pelavin, Esq.
Keck, Mahin and Cate
Radio Station KZZK (AM) / KBXQ (FM)
650 California Street
Suite 800
San Francisco, CA 94108

Ref. 8910-MM. Relet Atty. Pelavin 2/5/90. Temporary authority granted KZZK (AM) / KBXQ (FM), Tremonton, Utah to remain silent thru 4/9/90 to allow time to consummate the assignment of licenses BAL-891109EH/BALH-891109EI, granted 1/5/90. Any further request for extension must be accompanied by a detailed report of specific steps taken to resume operations. It will be necessary to maintain prescribed tower lighting. You will assume responsibility of forwarding this letter to radio station KZZK (AM) / KBXQ (FM).

Thomas N. Albers
Chief, AM Branch
Mass Media Bureau, FCC

Mary McDonald
Comms. Industry Tech.

EIC-Seattle

MM:afy/asd/mb/kzzk
(4)

bcc: Glenn Gresiman-FM Branch
KBXQ (FM) Correspondance File

KECK, MAHIN & CATE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

FCC MAIL SECTION
65 CALIFORNIA STREET

SUITE 800

SAN FRANCISCO, CALIFORNIA 94108

TELECOPIER (415) 392-3969

February 12, 1990

8300 SEARS TOWER
233 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606-6589
(312) 876-3400

TELECOPIER (312) 876-3582
TELEX 25-3411

WASHINGTON, D.C.

LOS ANGELES, CALIFORNIA

HOUSTON, TEXAS

PEORIA, ILLINOIS

OAKBROOK TERRACE, ILLINOIS

SCHAUMBURG, ILLINOIS

FILE NUMBER

DIRECT DIAL

VIA FEDERAL EXPRESS

Donna R. Searcy, Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Washington, D.C. 20554

Re: KBXQ (formerly KKVU-FM, Tremonton, UT)
REQUEST FOR EXPEDITED PROCESS

Dear Madam Secretary:

On August 16, 1989, the FCC granted temporary authority for KKVU-AM/FM Tremonton, UT to remain silent through November 18, 1989, pending sale of the radio stations. As noted in the original application the sole shareholder of Licensee, Glacus Merrill, suffered a stroke just prior to assuming the FCC licenses.

Mr. Merrill is not in a condition to quickly return the stations to the air by himself. He is, therefore, seeking to sell the stations so that they may return to the air as soon as possible. Sale of the stations has been diligently pursued and the FCC has granted the application for consent to transfer to Mr. Sasso in early January 1990. However, it has been necessary to file two extensions of time to remain silent. The most recent request is pending, and asks that permission be granted to remain silent until approximately April 20, 1990.

The proposed purchaser of the licenses, Kenneth Sasso, would like to complete purchase of the radio stations on or about March 1, 1990 and will make repairs to the transmitter immediately after purchase. The proposed purchaser has ordered a new antenna, transmitter and STL, subject to FCC approval of the construction permit.

However, based on the economic factors contributing to the stations originally going dark, Mr. Sasso will not purchase the stations unless the application for construction permit (BMPH 891024IJ) is granted.

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KECK, MAHIN & CATE

Donna R. Searcy, Secretary
FEDERAL COMMUNICATIONS COMMISSION
February 12, 1990
Page 2

The above-mentioned construction application for minor modification was filed with the FCC on October 24, 1989. It has yet to be assigned to an engineer for review.

If the construction permit is not granted prior to the scheduled closing of March 1, 1990, the closing will not occur and the stations will remain dark until Mr. Merrill can find another purchaser willing to close. This may take a long period of time. The stations are the only ones licensed to the county which has an approximate population of 37,500.

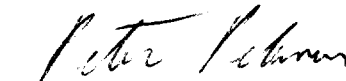
Expedited processing of the construction permit would allow the stations to go back on the air as soon as possible. This would be in the best interest of the public.

In light of these circumstances, it is respectfully requested that the Commission expedite processing of the application for construction permit (BMPH 891024IJ).

If there are any questions, please contact the undersigned.

Sincerely,

KECK, MAHIN & CATE

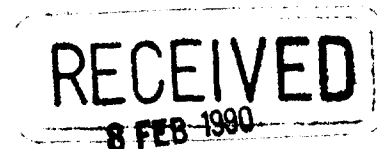


PETER N. PELAVIN

PNP\lmp

AM 191109 EH G-1-S-90
EI

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February 5, 1990

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HOUSTON, TEXAS
PEORIA, ILLINOIS
OAKBROOK TERRACE, ILLINOIS
SCHAUMBURG, ILLINOIS

FILE NUMBER
DIRECT DIAL

Mr. Larry Eads
Audio Services Division
MASS MEDIA BUREAU
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Washington, D.C. 20554

New Call KZZK-AM
KBXQ-FM

Re: RADIO STATION KKVU-AM/FM, Tremonton, UT
NEW CALL SIGN KXXX/KBXQ - Ref: 8910-MM

Dear Mr. Eads:

On August 16, 1989, the FCC granted temporary authority to KKVU-AM/FM, Tremonton, UT (now KXXX/KBXQ) to remain silent through November 18, 1989, pending sale of the radio stations. Subsequently, the license requested an extension and, on November 30, 1989 the FCC granted temporary authority for said stations to remain silent through February 22, 1990 to allow time to complete pending sales negotiations.

fl [An Assignment application has been filed and staff consent was given on January 5, 1990. Closing of the sale of the radio stations is scheduled to occur shortly after the Commission grant becomes final, about March 1, 1990.

The purchaser under the Agreement, Kenneth W. Sasso, intends to replace much of the transmitter equipment and estimates that it will take thirty days after closing to complete the process.

Therefore, it is respectfully requested that the Commission authorize the stations to remain dark for an additional two months beyond February 22, 1990 to allow for the consummation of the sale of the stations and for replacement of the transmitter equipment.

If there are any questions, please contact the undersigned.

Sincerely,

KECK, MAHIN & CATE

Peter Pelavin
PETER N. PELAVIN

PNP\lmp

cc: KXXX/KBXQ Public Files
Kenneth Sasso